

United States Senate

WASHINGTON, DC 20510

COMMITTEES:  
APPROPRIATIONS  
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SMALL BUSINESS AND ENTREPRENEURSHIP  
SPECIAL COMMITTEE ON AGING

March 9, 2018

The Honorable David J. Shulkin, M.D.  
Secretary  
U.S. Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, D.C. 20420

Dear Secretary Shulkin:

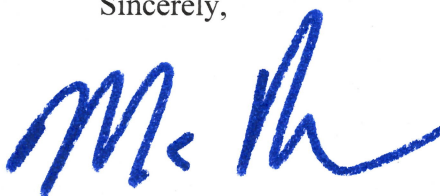
I write to express concern with the recent findings by the Office of Special Counsel (OSC) scrutinizing the Miami Veterans Affairs Medical Center's (VAMC) compliance with VA Directive 1113. This directive requires implementation of fourth generation human immunodeficiency virus (HIV) testing within one year of on May 5, 2015, its publication date. The OSC began an investigation into the matter after receiving information from a whistleblower alleging that patients tested for HIV at the Miami VAMC may have received inaccurate diagnoses because of the use of outdated testing procedures.

The OSC found that the Miami VAMC began complying with Directive 1113 and implemented fourth generation HIV testing only after the OSC began its inquiry into the matter. Moreover, the OSC concluded that Miami VAMC officials failed to respond to the whistleblower's concerns until after they were disclosed to OSC.

This is unacceptable, and our nation's veterans deserve better. I urge you to immediately conform to OSC's recommendation to ensure that every VA healthcare facility is in compliance with Directive 1113. Additionally, I request that you initiate an investigation into the Miami VAMC's response and hold the appropriate officials accountable. I look forward to your report on the VA's efforts and renewed commitment that veterans are receiving the quality care they were promised and deserve.

Thank you for your prompt attention to this important matter.

Sincerely,



Marco Rubio  
U.S. Senator